

No. PD-0039-19

JOHN CHRISTOPHER FOSTER

)

V.

)

THE STATE OF TEXAS

)

IN COURT OF
FILED
COURT OF CRIMINAL APPEALS
CRIMINAL APPEALS
DEANA WILLIAMSON, CLERK
JUL 11 2019
OF TEXAS

**APPELLANT'S FIRST MOTION TO
EXTEND TIME FOR FILING BRIEF**

TO THE HONORABLE JUSTICES OF SAID COURT:

COMES NOW, John Christopher Foster, Appellant, through counsel, Ken Mahaffey, and respectfully moves to extend the time for filing the Appellant's Brief in the above styled and numbered cause. In support thereof, Appellant would show the Court the following:

1. **JUDGMENT OF CONVICTION**. The judgment being appealed was imposed in the 403rd District Court of Travis County on October 5, 2017. Appellant was convicted of Aggravated Assault with a Deadly Weapon.

2. **APPELLANT IN CUSTODY**. Appellant was sentenced to 17 years and 6 months years and is currently serving that sentence.

3. **DATE BRIEF DUE**. Appellant's brief is currently due on July 18, 2019.

4. **FIRST MOTION FOR APPELLANT**. This is the first motion for extension of time to file a brief filed by Appellant in this cause. The State filed and was granted extensions of time to file its Petition for Discretionary Review and Brief on the merits.

5. **REASON FOR EXTENSION**. Counsel is currently out of town on a long scheduled vacation. The record has been filed during this vacation. Counsel will not return until July 22, 2019.

6. **DURATION OF EXTENSION SOUGHT**. Appellant respectfully requests this Court grant an extension of time for thirty (30) days to file its brief in this cause.

7. **EXTENSION REASONABLE**. An extension of time would be reasonable because it will facilitate the proper research and briefing of the issues in this cause.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Appellant respectfully moves to extend the time for filing the Appellant's Brief in this cause by thirty (30) days.

Respectfully Submitted,

A handwritten signature in black ink that reads "Ken Mahaffey". The signature is written in a cursive, flowing style.

Ken Mahaffey
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CERTIFICATE OF SERVICE

The above signature certifies that document was sent to the Travis County D.A.'s Office and the State Prosecuting Attorney by electronic service through the Texfile system and to John Christopher Foster, 02161486, 12071 FM 3522, Abilene, TX 79601.